

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRIA YANG,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,<sup>1</sup>

Defendant.

Case No. 1:20-cv-01353-AWI-BAM

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND REVERSING  
AND REMANDING ACTION**

(Docs. 18, 21, 23)

Plaintiff Tria Yang (“Plaintiff”) seeks judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) denying Plaintiff’s application for disability insurance benefits under Title II of the Social Security Act and supplemental security income under title XVI of the Social Security Act.

On August 3, 2022, the magistrate judge issued findings and recommendations recommending that the decision of the Commissioner be reversed, and the case be remanded to the ALJ for further proceedings. (Doc. 23.) The findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 10.) No objections have been filed, and the time in which to do so has passed.

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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew Saul as the defendant in this suit.

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(c), this Court has conducted a  
2 *de novo* review of the case. Having carefully reviewed the entire file, the Court finds that the  
3 findings and recommendations are supported by the record and proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations issued on August 3, 2022 (Doc. 23) are  
6 adopted in full;
- 7 2. The decision of the Commissioner is reversed, and the case remanded to the ALJ  
8 for further proceedings consistent with the findings and recommendations; and
- 9 3. The Clerk of the Court is directed to enter judgment in favor of Plaintiff Tria Yang  
10 and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security.

11 IT IS SO ORDERED.

12 Dated: September 12, 2022

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14 SENIOR DISTRICT JUDGE  
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